



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

Senate Bill 616

Renewable Energy Portfolio Standard – Eligible Sources –
Waste-to-Energy and Refuse-Derived Fuel

Date: March 15, 2022

Position: Support

To: Senate Finance Committee

From: Julieta Rodrigo, Urban & Community Resilience Manager

Chesapeake Bay Foundation (CBF) **SUPPORTS** SB 616, which makes energy derived from waste-to-energy or refuse-derived fuel ineligible for the creation of credits under the renewable energy portfolio standard. Incineration of solid waste and other refuse should not receive environmental tax subsidies because it causes significant harm to the Chesapeake Bay and represents an environmental injustice issue for our state's residents.

Incineration releases toxins that damage human and environmental health.

The Chesapeake Bay's airshed is significantly larger than its watershed, meaning that air pollution from many surrounding states ends up deposited in the Bay. Incineration results in nitrogen oxide emissions (NOx) that creates nitrogen deposition to the Bay and its rivers and streams. Nitrogen is one of the key pollutants to be reduced as part of the plan to clean-up the Bay. Thus, incineration should not be subsidized and encouraged by receiving credit under Maryland's RPS.

CBF believes it is time to phase out incentives for the use of solid waste incineration both for the nitrous oxide pollutants that become a source of nutrient pollution for the bay, but also to reduce the other air pollutants threatening vulnerable populations that live near these facilities, especially in Baltimore.

Environmental subsidies for incineration are not appropriate.

Analysis by the World Bank¹ identifies incineration as the most expensive way to deal with waste, with costs high above composting and landfills. The money to subsidize incineration comes from Maryland taxpayers. Legislation that enables incineration to receive subsidies as a renewable energy forces Maryland taxpayers to pay for a disposal method that is disproportionately harmful to their families, their communities, and the natural environment they care about. Maryland has one of the highest rates in the country for premature deaths caused by air pollution.² Maryland's RPS incentives should be reserved for clean energy options like wind and solar.

¹ Kaza, Silpa, et al. "What a Waste 2.0 : A Global Snapshot of Solid Waste Management to 2050." *Open Knowledge Repository*, Washington, DC: World Bank, 20 Sept. 2018, <https://openknowledge.worldbank.org/handle/10986/30317>.

² Fountain, Henry. "Calculating Air Pollution's Death Toll, across State Lines." *The New York Times*, The New York Times, 12 Feb. 2020, <https://www.nytimes.com/2020/02/12/climate/air-pollution-health.html>.

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Under Maryland's RPS, incineration only started receiving subsidies in 2011. If passed, this bill would remove incineration from the RPS, but would *not* mandate the closure of the incineration facilities within the state. Therefore, it should not affect incinerators' ability to fund their operations. As one example, BRESKO's Wheelabrator operated in Baltimore from 1985 to 2011 without the Tier 1 subsidies and still had successful business results.

Maryland should support alternatives to deal with trash.

Subsidizing incineration is not the best option to manage trash, when considering additional environmental and health impacts. Internationally recognized hierarchies for dealing with trash prioritize reducing, reusing, and recycling materials before they make it to landfill and incineration. Agencies like the Environmental Protection Agency³, the United Nations Environment Programme⁴, and the Intergovernmental Panel for Climate Change⁵ recognize waste-to-energy as an option for trash management, but only when other methods of waste minimization have been fully pursued.

Many communities around the state have launched and expanded successful programs to reach these goals, such as increasing their cities' recycling efforts, adding composting facilities to reduce organic waste, and passing ordinances to reduce single-use plastic waste. These initiatives have the added benefit of promoting the local economy. As a state that leads in environmental practices, Maryland needs to invest in these programs, instead of subsidizing an inefficient, aging, and polluting practice like incineration. Maryland's 2011 decision was a "national anomaly", as Maryland "became the first state to bump trash incineration from Tier 2 to Tier 1."⁶

CBF urges the Committee's FAVORABLE report on SB 616. For more information, please contact Robin Jessica Clark, Maryland Staff Attorney at rclark@cbf.org and 443.995.8753.

³ "Energy Recovery from the Combustion of Municipal Solid Waste." EPA, Environmental Protection Agency, <https://www.epa.gov/smm/energy-recovery-combustion-municipal-solid-waste-msw>.

⁴ Chim, Man Mei, et al. "Waste to Energy: Considerations for Informed Decision-Making." *UNEP Document Repository Home*, United Nations Environment Programme, Jan. 2019, <https://wedocs.unep.org/handle/20.500.11822/28413>.

⁵ "Intergovernmental Panel on Climate Change Working Group III: Mitigation Assessment Report." IPCC, Intergovernmental Panel on Climate Change, <https://archive.ipcc.ch/ipccreports/tar/wg3/index.php?idp=123>.

⁶ Ewall, Mike. *Removing Trash Incineration from Maryland's RPS*. Energy Justice Network, 15 Jan. 2018, <http://www.energyjustice.net/files/md/TakingOutTheTrash.pdf>.